

Title	<i>Statement of Agreement or Nonagreement</i> used to inform the court mediation has ended in specified mediation programs (revise form ADR-100)
Summary	The proposed revisions to form ADR-100 would provide mediators in court-connected civil mediation programs with a clear way of informing the court when a mediation did not take place and of indicating whether the form being filed is the first ADR-100 filed in the case or a supplemental one.
Source	Civil and Small Claims Advisory Committee Hon. Douglas P. Miller, Chair
Staff	Heather Anderson, Staff Attorney, 415-865-7691, heather.anderson@jud.ca.gov
Discussion	<p>Form ADR-100, the <i>Statement of Agreement or Nonagreement</i>, is the form the mediators in the Civil Action Mediation Program (Code Civ. Proc., § 1775 et seq.) and in the Early Mediation Pilot Programs (Code Civ. Proc., § 1730 et seq.) must use to inform the court when a mediation has ended (see Code Civ. Proc., §§ 1775.9 and 1739).</p> <p>Mediation program administrators have noted that the current form does not provide mediators with a clear way to let the court know that a mediation did not take place. Mediators are therefore handwriting notes on the ADR-100 forms submitted to some courts. The proposed revisions to the form would add a box that mediators can use to provide this information to the court.</p> <p>Program administrators have also noted that sometimes a mediator will file an ADR-100 form indicating that the case ended in nonagreement, and then the parties will engage in additional mediation sessions that ultimately result in resolving the case. If the mediator then files a new ADR-100, it may create confusion about why there are multiple forms and what the true outcome of the mediation was. To address this, the proposed revisions to the form would add boxes that mediators could use to indicate whether this is the first ADR-100 form filed in the case or a supplemental one.</p> <p>The form has also been revised to include a notice box indicating the programs in which its use is required and the most current proof of service form and to make the format more consistent with other current forms.</p>
	Attachment

- Date:

(SIGNATURE OF MEDIATOR)

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CASE NAME: _____	CASE NUMBER:
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**PROOF OF SERVICE**

☐ **Mail**    ☐ **Personal Service**

1. At the time of service I was at least 18 years of age and **not a party to this legal action**.
  
2. My residence or business address is (*specify*):
  
  
  
3. I mailed or personally delivered a copy of the *Statement of Agreement or Nonagreement* as follows (*complete either a or b*):
  - a. ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope **and**
      - (a) ☐ **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
      - (b) ☐ **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served:
      - (b) Address on envelope:
  
  
      - (c) Date of mailing:
      - (d) Place of mailing (*city and state*):
  - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
  
  
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ (TYPE OR PRINT NAME)		_____ (SIGNATURE OF DECLARANT)
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